

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Eastern District of New York

SAMY LAPOINTE

*Plaintiff(s)*

v.

BELLAS ICE CREAM TRUCK, INC., BELLA'S ICE  
CREAM NY, INC., & GUS TOUFOS, In His Individual  
and Official Capacities.

*Defendant(s)*

Civil Action No. 23-cv-8530 VMS

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

BELLAS ICE CREAM TRUCK, INC.  
1436 140th Street,  
Whitestone, NY 11357

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Gregory Calliste, Esq.  
Phillips & Associates PLLC  
45 Broadway Suite 430,  
New York, NY 10006

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

BRENNA B. MAHONEY  
CLERK OF COURT

*s/ Kimberly Davis*

*Signature of Clerk or Deputy Clerk*

Date: 11/16/2023



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GUS TOUFOS  
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Whitestone, NY 11357

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